

CITY OF SAINT PAUL
COUNTY OF RAMSEY
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**City of Saint Paul
Good Faith Effort Standards**

Excerpted From Chapter 84 of the Saint Paul Administrative Code

Sec. 84.08 Prime contract bid requirements

(C) Outreach requirements. The following steps are required for compliance with the outreach requirements of the vendor outreach program in this section 84.08.

(1) List each possible subcontract opportunity in the prime contract, indicating where possible the SIC Code of such work, seeking the assistance of the manager in ascertaining such subcontract opportunities.

(2) Obtain a current list of certified SBEs, MBEs, and WBEs from the manager, which list shall contain where available the applicable SIC Code or codes for such businesses.

(3) Attend all pre-bid conferences to obtain information about the vendor outreach program, the levels of participation of certified SBEs, MBEs, and WBEs, and the outreach requirements herein.

(4) Request assistance from minority and women community organizations, minority and women contractor groups, or other organizations that provide assistance in the recruitment and placement of SBEs, MBEs, and WBEs.

(5) Obtain a current list of minority and women publications from the manager.

(6) Solicit bids from certified SBEs, MBEs, and WBEs, which have been identified as being available and capable of performing the necessary work, for the subcontracts within the prime contract at least ten (10) days prior to bid opening, by phone, advertisement in a local paper and the relevant minority publications on the list obtained from the manager, or other means specified by the manager, by written notice to the bidder. The bidder for the prime contract must solicit bids from a minimum of five (5) such certified businesses for each subcontract within the prime contract, by SIC Code where available and applicable. If the applicable certified list, using the SIC Code or codes where available, is five (5) or fewer, such bidder must contact the entire list.

(7) Provide plans and specifications or information regarding the location of plans and specifications to certified SBEs, MBEs, or WBEs.



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Good Faith Efforts Standards – *continued*

(8) Where applicable, advise and make efforts to assist interested SBEs, MBEs, and WBEs to obtain bonds, lines of credit, or insurance required to perform the contract.

(9) Submit documentation if bids from certified SBEs, MBEs, or WBEs were rejected, giving the complete basis for the rejection and evidence that the rejection was justified.

(10) Bidders on prime contracts who continuously list the same certified SBEs, MBEs, and WBEs as having been contacted and listed as unavailable, when contact has previously been unsuccessful as a result of disconnected phone numbers or returned mail, will not be deemed to be in compliance with the outreach requirements.

(D) *Alternative compliance.* Notwithstanding the foregoing, a bidder on a prime contract shall be deemed to have complied with the above outreach requirements of the vendor outreach program, if such a bidder submits evidence with its prime contract bid documents that it has already entered into binding contracts with certified subcontractors whose contract dollar amounts meet the levels of participation established for that prime contract. A subcontractor is certified for the purpose of this subsection if it is certified before the award of the contract. If such bidder submits the name of a proposed subcontractor to satisfy this program, and the subcontractor is not certified before the award of the bid, the dollar amount of that subcontract will not be counted in determining the level of participation of certified SBEs, MBEs, and WBEs, and the bid may be rejected as being unresponsive if the bidder has not otherwise complied with the above outreach program requirements of the vendor outreach program as required by this section 84.08. Bidders shall not count toward the desired level of participation any agreements with businesses that are not located within the marketplace otherwise do not meet the guidelines as set forth in this ordinance. The bidder may include first and second tier subcontractors and suppliers as meeting the desired levels of participation.